

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:24-cv-00233-MR**

Jaquan M. Davis,)
1612081)
Plaintiff,)
)
Vs.) **ORDER TO CURE DEFICIENCY**
)
)
FNU Messer et al,)
)
Defendant(s).)

The Court has received the complaint in the above-captioned action. The case is deficient.

To correct this deficiency, you must either pay the filing fee of \$405, OR file an Application to Proceed Without Prepayment of Fees (form enclosed).

THE FAILURE TO COMPLY WITH THE FOREGOING WITHIN TWENTY-ONE (21) DAYS WILL RESULT IN THE DISMISSAL OF THIS ACTION WITHOUT FURTHER NOTICE.

If you file an Application to Proceed Without Prepayment of Fees, the Court will require your institution to submit a certified copy (or institutional equivalent) of your trust fund account statement for the six-month period immediately preceding the filing of the complaint in accordance with 28 U.S.C. §1915(a)(2).

If the Court concludes that you have adequate funds to pay the filing fee, the Application to Proceed Without Prepayment of Fees will be denied, and the full filing fee of \$405 will be deducted from your prisoner trust fund account. If the Court concludes that you have inadequate funds to prepay the filing fee, the Application to Proceed Without Prepayment of Fees will be

granted and you will be required to pay a \$350.00 fee in installments. See 28 U.S.C. §§ 1914, 1915; Standing Order of Instructions, 3:19-mc-54-MR.

THEREFORE, IT IS HEREBY ORDERED that the Plaintiff shall timely correct the deficiency identified in this Order. The failure to do so will result in the dismissal of this action without further notice.

The Clerk is respectfully directed to mail a copy of this order and blank IFP Application form to the Plaintiff.

Signed: September 10, 2024



Katherine Hord Simon, Clerk
United States District Court

